



Missouri Department of Natural Resources
Division of Air and Land Protection
Hazardous Waste Program

Taxpayer Relief Act – Brownfields Tax Incentive

In August 1997, President Clinton signed the Taxpayer Relief Act (HR 2014/PL 105-34), which includes a new Brownfields Tax Incentive designed to spur the cleanup and redevelopment of brownfields. Under this federal tax incentive, environmental cleanup costs for eligible properties are fully deductible business expenses in the year in which the costs are incurred or paid, during the eligible time period from August 5, 1997 through December 31, 2003.

To claim this deduction the taxpayer must receive a statement from the Department of Natural Resources for eligible properties. Sites on EPA's National Priorities List ("Superfund" sites), asbestos abatement projects and lead abatement projects are excluded. The tax incentive is applicable to properties that meet requirements specified on the enclosed submittal form. To receive a statement, complete and submit the enclosed form and affidavit and return them to:

Voluntary Cleanup Section
Hazardous Waste Program
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102

This new tax incentive will build on other Missouri brownfield redevelopment incentives that are available through the Department of Economic Development's (DED) Brownfield Redevelopment program. DED may provide remediation tax credits, grants, loans and loan guarantees for eligible projects.

For more information about certification of eligible federal tax relief properties in Missouri, contact the Voluntary Cleanup Section at 573-526-8913. For more information about DED's financial incentives, call Michelle Linder at (573) 751-4180.



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**U.S. Taxpayer Relief Act – Brownfields Tax Incentive
Submittal Form for a Qualified Contaminated Site**

Name of Taxpayer: _____

Address of Property: _____

City/Village/Township: _____ County: _____

____ The property is in an area at or on which there has been a release (or threat of release) or disposal of a hazardous substance, as defined by sections 101(14) and 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), with exception to the limitation in sections 104(a)(3).

Attach analytical results, photographs or any other supporting evidence of a release or threat of release.

____ The property is NOT a site on or proposed for the EPA National Priorities List ("Superfund" site).

____ The property is held by the taxpayer for use in a trade or business or for the production of income, or which is property described in section 1221(a)(1) in the hands of the taxpayer. This does not include personal use property.

Signature of Taxpayer: _____

Name of the Taxpayer: _____

Mailing Address: _____

Date: _____



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**AFFIDAVIT IN SUPPORT OF DESIGNATION AS A
QUALIFIED CONTAMINATED SITE**

STATE OF _____)

COUNTY OF _____)

The purpose of this Affidavit is to set forth certain information and documentation to enable the Missouri Department of Natural Resources (hereinafter the department) to make a statement pursuant to Section 941 of Public Law 105-34, the Balanced Budget Act of 1997. All terms which are found in this document that are defined in Section 941 of the Balanced Budget Act shall have the same meaning as in the statute.

The undersigned, being first duly sworn, deposes and says as follows:

1. THIS AFFIDAVIT is executed by the undersigned _____
on behalf of _____
concerning property located at _____

_____.
2. The property is held by the taxpayer for use in a trade or business or for the production of income, or which is property described in section 1221(a)(1) in the hands of the taxpayer. This does not include personal use property.
3. The property is an area at or on which there has been a release (or threat of release) or disposal of a hazardous substance, as defined by sections 101(14) and 102 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, subject to the limitations in section 104(a)(3). Analytical results, photographs, or other evidence of a release or threat of a release are attached.
4. The property is NOT a site on or proposed for EPA's National Priority List under CERCLA (a "superfund" site).

I swear under oath that this is a true and complete statement.

Signature

Subscribed and sworn to and before me on this
_____ day of _____.
(month and year)

Notary Public

My Commission Expires _____